

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has added new claims 25-27. Thus, claims 1-27 are now pending in the application. Claims 1, 9, 16, and 23 are amended in order to more clearly and fully claim the present invention.

Objections

The Examiner states that “page 2, para 0027 has no reference to a figure. . . . ‘Referring back to figure 1’ should be added to this para.” (parentheses omitted.)

By this amendment, Applicant has amended the specification as suggested by the Examiner. Accordingly, Applicant respectfully requests that the Examiner withdraw this objection.

Claim Rejections - 35 U.S.C. § 102

Claim 24 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Browne et al. (WO 92/22983; hereafter “Browne.”) Applicant traverses this rejection for at least the following reasons.

The Examiner alleges that subparagraph B of claim 24 is disclosed in Browne at Fig. 6 and p. 25, lines 24-80. Applicant respectfully submits that this is incorrect, because Browne fails to teach “preparing a first deletion flag.” Although Browne discloses a “lock flag,” it does not teach a “deletion flag,” as claimed.

In Browne, if the lock flag is not attached to a program, it does not mean that the program should be deleted. In contrast, in claim 24, if the flag is attached, it means that that program

should be deleted. Browne does not appear to be concerned with whether a program should be deleted or not, unlike claim 24.

Claim 24 also requires “attaching the first deletion flag.” The Examiner alleges that subparagraph C of claim 24 is disclosed in Browne at Fig. 6, and p. 25, lines 24-30. Applicant respectfully submits that this is incorrect; since Browne does not teach a “deletion flag,” Browne is therefore unable to “attach[] the first deletion flag,” as required by claim 24.

The Examiner further contends that subparagraph D of claim 24 is disclosed in Browne at Fig. 6 and p. 25, lines 24-30. Applicant respectfully submits that this is inaccurate, because Browne shows a list of all the programs, whereas claim 24 “generat[es] a list . . . except for the first piece of information to which the first deletion flag is attached.” In the method of claim 24, programs which should be deleted are thus excluded from the list when the list is generated.

Subparagraph B of Claim 24 recites that “the first piece of information currently played should be deleted.” (emphasis added.) Applicant notes for the purposes of clarification and explanation that in an exemplary embodiment, this could mean that a viewer decides to delete a program while that program is being played back, i.e., a viewer decides to delete the program while he is watching the program. Browne fails to teach that information “currently played” may be deleted.

Claim Rejections - 35 U.S.C. § 103

Claims 1-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Browne in view of Cragun et al. (U.S. 5,561,457; hereinafter “Cragun.”) Applicant traverses this rejection for at least the following reasons.

Claim 1

Applicant submits that Claim 1 is patentable over the combination of Browne in view of Cragun. Claim 1 is an apparatus claim analogous to the method claim 24, and Applicant respectfully submits that the Examiner's understanding of Browne is inaccurate, as explained above.

The Examiner points to Fig. 2 of Browne as allegedly showing the generating unit of claim 1. This observation is inaccurate because Fig. 2 of Browne shows a main menu, not the list of recorded programs. The generating unit of claim 1 generates a list of recorded programs which excludes the flagged programs.

Cragun fails to teach a flag setting unit of claim 1 because the flag setting unit of claim 1 prepares a deletion flag while a program is being played back, i.e., "while the playback unit is playing the selected piece of information." This feature is not taught in Cragun.

Column 9, lines 19-25 of Cragun appear to indicate that information will be overlayed on the video picture to assist in "inputting information." This video picture appears to be a still image because the information is overlayed on a particular image. In contrast, in claim 1, the flag is attached while the program is being displayed as a moving picture, because a still image is not sufficient for the viewer. Moreover, this portion of Cragun merely teaches "inputting information," and fails to teach specifying a program which should be deleted.

Since the applied references, alone or in combination, fail to teach or suggest all elements of independent claim 1, claim 1 and its dependent claims 2-8 are patentable over the applied references.

Claims 9 and 16

Claim 9 recites a first flag and a second flag. One flag is attached to a program to be deleted while that program is being played back, and another flag is attached to a program to be deleted while that program is not being played back. Thus, claim 9 contains features analogous to claim 1. Claim 16 also contains features analogous to claim 1, as the limitations of claim 16 are similar to those of claim 1, but are written in means-plus-function form.

Since independent claims 9 and 16 include patentable features analogous to claim 1, claims 9 and 16, and their dependent claims 10-15 and 17-23 are patentable at least for reasons analogous to those set forth above with respect to claim 1.

New Claims

Applicant adds new claims 25-27, and respectfully submits that these claims contain no new matter, and are sufficiently supported by the specification.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373
CUSTOMER NUMBER

Date: November 9, 2006